

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
BEAUMONT DIVISION

UNITED STATES OF AMERICA §
Plaintiff, §
§
v. § Civil No. 1:22-cv-00288
§
\$240,190.00 IN UNITED STATES §
CURRENCY, §
Defendant. §

VERIFIED COMPLAINT FOR FORFEITURE IN REM

In accordance with Fed. R. Civ. P. Supplemental Rule G(2), the United States of America, Plaintiff, brings this complaint and alleges as follows:

Nature of the Action

1. This is an action to forfeit property to the United States pursuant to 18 U.S.C. §§ 981(a)(1)(A), 981(a)(1)(C), and 21 U.S.C. § 881(a)(6).

Defendant In Rem

2. The defendant property is \$240,190.00 in United States Currency (Defendant Property). Homeland Security Task Force Officer and Officers with the Beaumont Police Department seized the Defendant Property on March 7, 2022. The Defendant Property is currently in the custody of the United States Customs and Border Protection.

Jurisdiction and Venue

3. The Court has subject matter jurisdiction over an action commenced by the

United States pursuant to 28 U.S.C. § 1345, and over an action for forfeiture pursuant to 28 U.S.C. § 1335(a).

4. The Court has in rem jurisdiction over the Defendant Property pursuant to 28 U.S.C. § 1335(b)(1)(A) because acts or omissions giving rise to the forfeiture occurred in this district.

5. Venue is proper in this district pursuant to 28 U.S.C. § 1335(b)(1)(A) because acts or omissions giving rise to the forfeiture occurred in this district.

Basis for Forfeiture

6. The Defendant Property is subject to forfeiture pursuant to:

- a. 18 U.S.C. 981(a)(1)(A) because it is any property, real or personal, involved in a transaction or attempted transaction in violation of 18 U.S.C. § 1956.
- b. 18 U.S.C. § 981(a)(1)(C) because it is any property, real or personal, which constitutes or is derived from the proceeds traceable to a violation of 21 U.S.C. § 846 and 18 U.S.C. § 1956.
- c. 21 U.S.C. § 881(a)(6) because it constitutes (i) money, negotiable instruments, securities, and other things of value furnished and intended to be furnished in exchange for a controlled substance in violation of the Controlled Substances Act; (ii) proceeds traceable to such an exchange; or (iii) money, negotiable instruments, and securities used and intended to be used to facilitate a violation of the Controlled Substances Act.

Facts

7. On March 7th, 2022, Beaumont Task Force Officers stopped a 2016 Ford Edge on Interstate 10 in Jefferson County, Texas, for a traffic violation. After speaking with occupants, the Officers became suspicious that there was some type of illegal activity in progress because of conflicting answers provided to questions about the reason for travel.

The occupants denied having illegal drugs or large sums of currency in the vehicle but consented to a search. While searching, the Officers discovered an after-market compartment built into the floor of the vehicle near the center console. The occupants denied having any knowledge of the hidden compartment and refused to provide any information as to how to open it.

The Officers were able to gain access to the compartment and found a large amount of U.S. currency. The driver, Oscar Armando Chavarria-Lobo, stated that he had no knowledge of the currency. The passenger, Diana A. Carreno, refused to answer any questions at that point.

The Ford Edge was transported to the police station and the Officers were able to activate the compartments actuator and remove the currency. Three gallon-size zip lock bags were marked “\$30K” in red ink and a fourth bag marked “Trailer \$52K” in red ink.

Based on the circumstances and having determined that both occupants had significant criminal histories, including a murder conviction for Chavarria-Lobo, the officers seized the currency as likely proceeds of illegal drug activity.

An official count of the seized currency conducted by Allegiance Bank total \$240,190.00.

Potential Claimants

8. The only known potential claimants to the Defendant Property are:

Diana A. Carreno
Represented by Law Office of Greg Gladden
3017 Houston Avenue
Houston, Texas 77009; and

Oscar Armando Chavarria-Lobo
15723 Alta Mesa Drive
Houston, Texas 77083

Claim for Relief

9. The United States respectfully requests that the Court forfeit the Defendant Property to the United States, award costs and disbursements in this action to the United States and order any other relief that the Court deems appropriate.

Respectfully submitted,

BRIT FEATHERSTON
UNITED STATES ATTORNEY

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VERIFICATION PURSUANT TO 28 U.S.C. § 1746

I, Michael W. Lockhart, hereby state that:

1. I am an Assistant United States Attorney for the Eastern District of Texas.
2. I have read this Complaint, and the information contained herein is true and correct to the best of my knowledge.
3. The information contained in this Complaint comes from the official files and records of the United States and information received from law enforcement officers.

I state and verify under penalty of perjury that the foregoing is true and correct.

/s/ Michael W. Lockhart
MICHEAL W. LOCKHART
Assistant United States Attorney

Dated: July 22, 2022.